



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 6
1445 ROSS AVENUE, SUITE 1200
DALLAS, TX 75202-2733

March 12, 2008

Mr. Tom Ballou, Jr.
Environmental Manager
Sherwin Alumina L.P.
P.O. Box 9911
Corpus Christi, TX 78469

Re: U.S. Environmental Protection Agency Request for Access to the Sherwin Alumina Red Mud Disposal Units located in Aransas and San Patricio Counties, Texas

Dear Mr. Ballou:

The purpose of this letter is to request permission for the U.S. Environmental Protection Agency (EPA) to enter Sherwin Alumina property to collect samples of red mud generated by alumina production at the Gregory, Texas facility. Specifically, EPA requests access to the red mud disposal units located in Aransas and San Patricio Counties. In accordance with the Comprehensive Environmental Response Compensation and Liability Act (CERCLA), 42 U.S.C. § 9601 *et seq.*, the EPA is seeking access as part of an investigation into the possible release of potential hazardous substances, pollutants, or contaminants from these red mud disposal units.

Section 104(e) of CERCLA, 42 U.S.C. § 9604(e), grants the EPA the authority to enter a property at reasonable times to investigate such releases. Our policy, however, is to seek voluntary cooperation from the public when possible. Please indicate your decision to allow access by signing the attached consent form.

Representatives of Dynamac Corporation (Dynamac) will be conducting the investigation as EPA's contractor. Personnel from Dynamac will be contacting you to verify the exact dates of the visit. If you would like a copy of the analytical results of samples collected from your property, please mark the appropriate space on the consent form.

Thank you very much for your cooperation in this matter. If you have any questions, please contact me at 214-665-2240.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Bret Kendrick".

Bret Kendrick
Site Assessment Manager
EPA Region 6



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CONSENT FOR ACCESS TO PROPERTY

Name of Owner: Sherwin Alumina L.P.

Address/Description of Property:

Red Mud Disposal Units

Aransas and San Patricio Counties, Texas

I consent to the officers, employees, contractors, and authorize representatives of the United States Environmental Protection Agency (EPA) entering and having continued access to my property for the taking of such soil samples as may be determined by the EPA to be necessary.

I recognize that these actions by the EPA are undertaken in accordance with its response and enforcement authorities contained in the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA"), 42 U.S.C. § 9601 *et seq.*

I certify that I have the authority to grant this permission as the owner or the authorized representative of the owner of the property described above. This written permission is given by me voluntarily with knowledge of my right to refuse and without threats or promises of any kind.

Date

Signature

Title

Phone Number

Analytical Results

Place a check mark in the appropriate space. Please note that if no selection is made, the EPA will assume that you do not wish to be provided with the analytical results.

() Please provide me with a copy of the analytical results for my property.

() I do not wish to receive a copy of the analytical results for my property.